

EXHIBIT 39

New attempt limit for USMLE examinations

The USMLE Program is introducing a limit on the total number of times an examinee can take the same Step or Step Component. When this limit takes effect, an examinee will be ineligible to take a Step or Step Component if the examinee has made **six or more prior attempts** to pass that Step or Step Component, including incomplete attempts.

Posted August 25, 2011 [-] [Click HERE](#) to close announcement

The effective date for the six-attempt limit depends upon whether an examinee has taken any Step or Step Component (including incomplete attempts) before January 1, 2012.

• Examinees who have NOT taken any Step or Step Component before January 1, 2012

If you have not taken any Step or Step Component before January 1, 2012, the six-attempt limit will go into effect for all exam applications that you submit on or after January 1, 2012.

Example 1: On January 15, 2012, Examinee A submits his application for his first attempt at any Step or Step Component. The six-attempt limit will be effective at that time for all Steps and Step Components and Examinee A will be allowed to take each Step or Step Component no more than six times, including incomplete attempts.

• Examinees who have taken any Step or Step Component before January 1, 2012

If you have taken any Step or Step Component (including incomplete attempts) before January 1, 2012, the six-attempt limit will go into effect for all exam applications that you submit on or after January 1, 2013. After that date, all attempts at a Step or Step Component will be counted toward the limit, regardless of when the exams were taken.

Example 2: Examinee B's application for a seventh attempt at a particular Step or Step Component is received on December 15, 2012. For this examinee, the six-attempt limit will not prevent the seventh attempt, since the application was submitted before January 1, 2013. However, if Examinee B fails the exam, he will not be eligible to submit an application after January 1, 2013 to retake that Step or Step Component.

Example 3: Examinee C attempts to submit an application for a seventh attempt at a particular Step or Step Component on or after January 1, 2013. The application will not be processed, since all exam applications submitted on or after January 1, 2013 will be subject to the six-attempt limit.

Announcements

Attempt limit for USMLE examinations

Posted: June 20, 2012

Examinees who have made six or more attempts to pass a Step or Step component, including incomplete attempts, should be aware that all applications to register for additional attempts will not be processed unless they are submitted on or before **December 31, 2012**. This limit was first announced in August of 2011.

The effective date for the six-attempt limit depends upon whether an examinee has taken any Step or Step Component (including incomplete attempts) before January 1, 2012.

- **Examinees who had NOT taken any Step or Step Component before January 1, 2012**

If you did **not** take any Step or Step Component before January 1, 2012, the six-attempt limit went into effect for all exam applications that you submitted on or after January 1, 2012.

Example 1: On January 15, 2012, Examinee A submits his application for his first attempt at any Step or Step Component. The six-attempt limit is effective at that time for all Steps and Step Components and Examinee A will be allowed to take each Step or Step Component no more than six times, including incomplete attempts.

- **Examinees who have taken any Step or Step Component before January 1, 2012**

If you have taken **any** Step or Step Component (including incomplete attempts) before January 1, 2012, the six-attempt limit is in effect for all exam applications that you submit on or after January 1, 2013. After that date, all attempts at a Step or Step Component will be counted toward the limit, regardless of when the exams were taken.

Example 2: Examinee B's application for a seventh attempt at a particular Step or Step Component is received on December 15, 2012. For this examinee, the six-attempt limit will not prevent the seventh attempt, since the application was submitted before January 1, 2013. However, if Examinee B fails the exam, he will not be eligible to submit an application after January 1, 2013 to retake that Step or Step Component.

Example 3: Examinee C attempts to submit an application for a seventh attempt at a particular Step or Step Component on or after January 1, 2013. The

application will not be processed, since all exam applications submitted on or after January 1, 2013 will be subject to the six-attempt limit.

Please refer to the *Bulletin of Information* for more complete information on time and attempt limits.